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## U.S. Department of State

### Slovak Republic Country Report on Human Rights Practices for 1997

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#### THE SLOVAK REPUBLIC

The Slovak Republic became an independent state in 1993, following the dissolution of the Czech and Slovak Federal Republic (CSFR). Its Constitution provides for a multiparty, multiethnic parliamentary democracy, including separation of powers and an independent judiciary. Slovakia chose to carry over the entire body of CSFR domestic legislation and international treaty obligations, which gradually are being renewed or updated. The Constitution provides for an independent judiciary; however, some critics allege that the Ministry of Justice's logistical and personnel authority allows it to exert some influence on the judicial system.

The national police, which fall under the jurisdiction of the Ministry of Interior, are the primary law enforcement agency. In addition to domestic law enforcement, they also have responsibility for border security. The Slovak Information Service (SIS), an independent organization reporting directly to the Prime Minister, is responsible for all civilian security and intelligence activities. A six-member parliamentary commission, which includes no meaningful opposition participation, oversees the SIS. Civilian authorities maintain effective control of the security forces. Police have committed some human rights abuses.

Slovakia made continued progress in the difficult transition from a command-based to a market-based economy, with more than 85 percent of gross domestic product (GDP) now generated by the private sector. GDP growth continued to be strong at 6 percent, and inflation rose to just over 6 percent. Real GDP per capita is approximately \$2,800, providing most of the population with an adequate standard of living. Unemployment was high at 13 percent, with some areas of the country reaching over 25 percent.

A disproportionate number of unemployed are Roma, who face exceptional difficulties in finding and holding jobs partly as a result of discrimination. The economy is industrially based, with only 7 percent of GDP derived from agricultural production. Major exports are iron and steel, machinery and transport equipment, audio and video equipment, plastic materials, chemicals and fuels, paper, and paper products.

While the Government generally respected most of the human rights of its citizens, disturbing trends away from democratic principles continued, reflecting an intolerance for opposition views and a recentralization of state authority. Most notably, the Government, contrary to decisions of the Constitutional Court, refused to permit a referendum question on the direct election of the President to be printed on the ballot distributed to voters, and the Parliament refused to reinstate ousted Deputy Frantisek Gaulieder. Human rights monitors continued to report incidents of police brutality against Roma, although fewer than in 1996. There were credible allegations that the SIS conducted surveillance of some political figures, journalists, and their spouses.

There were also increasing credible allegations of politically motivated dismissals of public officials, intimidation of opponents of government policy, and interference with the electronic media. An atmosphere of intimidation led some journalists to practice self-censorship. The Government's failure to investigate seriously the 1995 abduction and assault of the president's son, the Gaulieder case, and referendum fiasco undermine the Government's commitment to the rule of law. Discrimination and violence against women remain serious problems. A new law on universities threatened the independence of higher education. Roma faced societal discrimination, and the police often failed to provide adequate protection or follow-up against attacks on Roma by skinheads. Some anti-Semitic incidents occurred, and there was some discrimination against the Hungarian minority.

## **RESPECT FOR HUMAN RIGHTS**

### **Section 1 Respect for the Integrity of the Person, Including Freedom From:**

#### **a. Political and Other Extrajudicial Killing**

There were no reports of political or other extrajudicial killings.

However, press speculation that elements of the security services were involved in the 1996 death of Robert Remias was widespread. Remias was a friend and intermediary of Oskar Fegyveres (a former member of the SIS and a self-proclaimed witness to the kidnaping of the President's son in August 1995--see Section I.c.). Remias died when his car exploded on April 29, 1996, in Bratislava. The investigation into his death has foundered for nearly 2 years and remained dormant at year's end; no suspects have been identified.

Skinhead violence against Roma led to one death (see Section 5).

#### **b. Disappearance**

There were no reports of politically motivated disappearances.

#### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The Constitution prohibits such practices. However, security forces do not always respect these prohibitions.

Human rights monitors reported cases of police brutality against Roma and some African students. More often the police are accused of tolerating violence against Roma by not halting or investigating attacks against Roma. For example, Human rights monitors charge that police appear reluctant to take the testimony of witnesses to skinhead attacks on Roma. Further, they reported that police used the device of countercharges to pressure Roma victims of police brutality to drop their complaints, that medical doctors and investigators cooperated with police by refusing to describe accurately the injuries involved, and that lawyers often were reluctant to represent Roma in such situations, for fear this would have a negative effect on their practice. In 1996 the Banska Bystrica police chief, in reaction to a complaint by a nongovernmental organization (NGO), admitted police errors in Prievidza and promised disciplinary action against the officers involved. No known action was taken in the case during the year.

The 1995 case of the violent abduction of the President's son Michael Kovac Jr., to Austria, during which he was tortured, remained unsolved. SIS personnel are alleged to be implicated. The SIS refused to permit its personnel to be questioned and has accused police investigators of wrongdoing. One lead police investigator resigned under pressure; another was removed from the case, as was their supervisor. The Government did not vigorously investigate the kidnaping case during the year, and the third investigator closed the case due to "insufficient evidence," noting that the incident may have been staged to embarrass the Government.

Prison conditions meet minimum international standards, and the Government permits visits by human rights monitors.

#### d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention, and the Government observes this prohibition.

A person accused or suspected of a crime must be given a hearing within 24 hours and either set free or returned to custody by a remand of the court. During this time, the detainee has the right to an attorney. If remanded by a court, the accused is entitled to a hearing within 24 hours at which the judge either sets the accused free or issues a substantive written order placing the accused in custody. Investigative detention may last up to 2 months and may be extended. The total length of pretrial detention may not exceed 1 year, unless the Supreme Court extends it, after determining that the person constitutes a serious danger to society. Pretrial detainees constituted roughly 25 percent of the total prison population, and the average pretrial detention period was 7.2 months. The law allows family visits and provides for a court-paid attorney if needed. A system of bail exists. Noncitizens may be detained for up to 30 days for the purposes of identification.

The Constitution prohibits exile, and the Government observes this prohibition.

#### e. Denial of Fair Public Trial

The Constitution provides for courts that are independent, impartial, and separate from the other branches of government. Some critics allege, however, that the dependence of judges upon the Ministry of Justice for logistical support and other services undermines their independent status. The Ministry of Justice also can remove presidents and vice presidents of the courts for any reason, although they remain judges; it has done so.

The court system consists of local and regional courts with the Supreme Court as the highest court of appeal except for constitutional questions, which are considered by a separate Constitutional Court. In addition, there is a separate military court system, the decisions of which may be appealed to the

Supreme Court and the Constitutional Court. Under the Constitution, the President appoints and removes Constitutional Court judges to 7-year terms based upon parliamentary nominations. Parliament elects other judges, based on recommendations from the Ministry of Justice, and can remove them for misconduct.

The Constitution provides that judicial candidates are initially appointed by the Parliament for a 4-year term. At the end of that term, their names are to be submitted to Parliament and, if candidates have successfully completed the terms of probation, they are appointed to the bench for life. When the Government submitted to the Parliament the names of candidates for lifetime appointments, it omitted from the list 12 candidates. Through some of their decisions, these 12 apparently had displeased the Government. This action led to severe public criticism. The media began a petition drive, and a majority of sitting judges signed the petition. Giving in to the pressure, the Government reversed its position and submitted the names of the 12 to Parliament. They were subjected to the usual review process and were duly elected to lifetime terms.

Persons charged with criminal offenses are entitled to fair and open public trials. They have the right to be informed of the charges against them and of their legal rights, to retain and consult with counsel sufficiently in advance to prepare a defense, and to confront witnesses. Defendants enjoy a presumption of innocence and have the right to refuse to testify against themselves. They may appeal any judgment against them.

There were no reports of political prisoners.

#### f. Arbitrary Interference With Privacy, Family, Home, or Correspondence

The Criminal Code requires police to obtain a judicial search warrant in order to enter a home. The court may issue such a warrant only if there is a well-founded suspicion that important evidence or persons accused of criminal activity are present inside or if there is some other important reason. Police must present the warrant before conducting the house search or within 24 hours after the search.

The 1993 police law regulates wiretapping and mail surveillance for the purposes of criminal investigation, which may be conducted, on the order of a judge or prosecutor, only in cases of extraordinarily serious premeditated crimes or crimes involving international treaty obligations. It has never been determined who was responsible for two highly publicized taped interceptions of ministerial-level phone conversations from 1996. Credible allegations emerged that the SIS conducted routine surveillance of some political figures and their spouses. Radio Free Europe (RFE) representatives alleged that SIS agents followed RFE reporters who were working on sensitive stories. Other journalists also allege they are being surveilled and that their telephones are tapped.

In 1995 police with a legal warrant searched the diocesan headquarters of Bishop Rudolf Balaz, chairman of the Conference of Bishops. The search occurred soon after Balaz had led the conference in a statement of support for President Michal Kovac, who has been the target of criticism by the government coalition. Police said that Balaz was involved in the illegal sale of art works listed in the register of national treasures. Denying this, Balaz's office director stated that the Government was intent on discrediting Balaz and that police had searched areas clearly inconsistent with their alleged mission. The charges were dropped in 1996 after a newspaper alleged SIS involvement in the case. A senior church official said that the police had not returned either the artwork or the money that had been seized. There were no developments in the case during the year.

There were reports that some public service employees were pressured to join government coalition

parties; the workers feared loss of their jobs otherwise (see Section 6.a.).

## **Section 2 Respect for Civil Liberties, Including:**

### **a. Freedom of Speech and Press**

The Constitution provides for freedom of speech and of the press, and the Government generally respects this right in practice. However, the law and a climate of increasing intimidation leads some journalists to practice self-censorship.

Although the largest press distribution company is mainly state owned, private distribution companies exist. The print media are free and uncensored, although some journalists and media outlets report that they exercise self-censorship out of fear for personal safety or economic repercussions. Newspapers and magazines regularly publish a wide range of opinions and news articles. The politicization of state-owned broadcast media, however, remains a significant problem.

Individuals continued to report attempts at intimidation that make them reluctant to criticize the Government openly without fear of some form of reprisal. Several cases highlight this trend. On March 15 during an HZDS (ruling party) rally in Bratislava the crowd attacked several journalists and damaged their equipment. The attacks included pushes and shoves, verbal abuse, and destruction of equipment.

In April the offices of the Center for Independent Journalism (CIJ), a private foundation that supports the growth of independent media, were burglarized. In a room full of computers, only one was taken. That one contained a sensitive list of affiliated journalists and a year's worth of e-mail communications between the CIJ and its New York headquarters. The stolen server was valued at \$1,000 to \$1,300 (Sk 30,000 to 40,000) while other, more expensive equipment was left untouched. Police investigated, but had made no arrests by year's end.

On June 7, the offices of the private press agency SITA were burglarized. The items taken included 29 of 32 personal computers and 3 notebook computers. SITA was scheduled to begin official operations on June 15. While the agency's director refused to speculate on a motive for the robbery, some observers suspected a political motive. Investigators officially shelved the case for lack of evidence.

A series of threatened and actual defamation suits by politicians against journalists continued. Since losing a case could cause financial difficulties for most newspapers, the threat of a lawsuit is one method to intimidate journalists. On October 22 the progovernment daily Slovenska Republika reported that a district court judge had ordered the opposition daily SME to cease publishing articles linking SIS members with criminal acts unless they were found guilty in court. The SIS had filed suit seeking protection against alleged libel by SME resulting from a car bomb incident in which the SME reported that an SIS employee was killed while handling a bomb at his home. The SME concedes that it misreported the individual's first name and age.

On September 19, SME assistant editor Peter Toth's car was torched in Bratislava within 50 feet of his ground floor apartment where his family was sleeping. Toth was traveling outside Slovakia at the time. A week later, a fire was set in a dumpster outside Toth's apartment. Toth has aggressively pursued and uncovered information on the case of the 1995 kidnaping of President Kovac's son and the related 1996 car bomb murder of source Robert Remias. On September 22, the SME offices received a bomb threat, one of many such warnings. The building was evacuated but police did not find an explosive device. On November 14, the police informed Toth that the investigation of the arson attack was closed for lack of evidence.

October 13 the government-owned telecommunications company ST shut down for 25 hours the leased Bratislava transmitter of private opposition-oriented Radio Twist, ostensibly for nonpayment of bills for the use of the transmitter in Bratislava. The station owns its other transmitters elsewhere in the country. Twist director Andrej Hryc acknowledged that his most recent payment of \$5,000 was 13 days late but said that it had been paid before the shutdown, which came with no warning. Two other private radio stations also were shut down. The two largest debtors are state-controlled Slovak TV and Radio with debts of \$7.6 million and \$7 million respectively. In an October press conference, a radio and television broadcasting council representative reported that a transmitter of Slovak Radio was once temporarily shut down for late payment of debt. On November 27, the ST cut power to Twist's central Slovakia transmitter, forcing the station to use a gasoline generator for 1 week. After Twist director Andrej Hryc persuaded the electric company to switch his station's power back on, ST staff members physically cut the cable that crossed ST property to the transmitter, forcing Twist to use the generator again. On December 4, Hryc confirmed that the electric company had succeeded in rerouting the power cable so that ST no longer had access to it, and full power was restored.

Investigative weekly Plus 7 Dni journalist Dasa Matejcikova reported harassment since her decision to write an article about a wealthy HZDS member with alleged underworld ties. Matejcikova's mother, living in the village of Orava, received a telephone death threat. Shortly after she tried to interview the subject of her article, Matejcikova said that his associates told her that if she went ahead with the article they would start a media campaign against her, accusing her of attempting to bribe person by asking him for \$3,000 (Sk 100,000) to prevent publication of the article. When she persisted, she said that she was offered a bribe not to continue, but declined it. VTV Television (partly owned by the subject) called her editors and claimed she had asked them for \$3,000 (Sk 100,000). Her editors said that they do not believe the charges and fully support Matejcikova. When trying to get police protection, she said that she was told that she could not receive protection unless she were actually attacked and that protection would require Ministry of Interior approval, which would take a month. On September 25 the article was published. On the same day Matejcikova was sued by the subject of her story for bribery. The photographer who accompanied her throughout her investigation reportedly told authorities he remembers nothing about their meetings with the man's associates.

Citing low journalistic standards, Prime Minister Vladimir Meciar decided in December to abolish weekly government press conferences. The decision was made in reaction to press questions regarding Meciar's new unofficial advisor Blazena Martinkova and an alleged secret trip to Moscow. In a letter addressed to cabinet members and other public officials, Meciar prohibited them from giving information to certain media outlets. He wrote that "Radio Twist, Markiza Television, and dailies Novy Cas, SME, and PRACA have continuously published lies about the Slovak Government and its members." The cabinet press office announced that it would provide information only to government media, not the independent media.

A Radio Free Europe (RFE) manager reported government efforts to intimidate and interfere with the station. SIS director Ivan Lexa, in his annual report to Parliament, called RFE an enemy of the Slovak state. RFE states that access to government information and officials is difficult for its representatives. During the year, RFE detected three attempted break-ins of its premises, most recently in August. Police were not called because regulations require that police may be called only after "successful break-ins." RFE journalists reporting on politically sensitive cases, such as the Gaulieder case, allege that their phones are tapped and that they are followed.

The 1995 state language law bans the use of foreign languages in the media and requires the use of Slovak in all official government business. Broadcasting in minority languages continues, but several radio stations canceled English-language programming in order to comply with the law in 1996. The law remains unchanged.

Radio and television broadcasting are supervised by three boards appointed by majority vote of Parliament. The Slovak Television Council and the Slovak Radio Council establish broadcasting policy for state-owned television and radio. The Slovak Radio and Television Council issues broadcast licenses and administers advertising laws and some other regulations. The Radio and Television Council has made significant progress in fostering the spread of private broadcasting, for which it has issued 26 radio and 98 television and cable television licenses. A private company, Markiza Television, with a signal covering two-thirds of the country, is the most watched station.

In 1996 Parliament passed a law to privatize the second channel of Slovak Television (STV 2). On June 6, the Slovak Republic Council for Radio and Television Broadcasting (RRTV) announced that the private Slovak television company Pro TV, reportedly close to government circles, won the license to broadcast on the frequency vacated by Slovak Television's second channel when it moved to satellite broadcast. The RRTV claimed that it gave preference to offers with Slovak capital, but press reports questioned the capital backing of Pro TV as well as its apparent ties to government supporters. An amendment halting the privatization was demanded by the opposition Party of the Democratic Left (SDL). President Kovac returned the privatization bill to Parliament in July, and on July 10 it voted to halt privatization. On October 10, Parliament again rejected an attempt to privatize STV 2.

The state-owned electronic media continued to be highly politicized. Critics charged that STV avoids controversial topics and provides almost no time for opposition views or reporting the activities of the President.

Money allocated to minority groups for the publication of minority-language newspapers has in some cases been eliminated. At the same time, the Government reportedly has given the Salus Publishing Company, with owners tied to the HZDS, \$270,000 (Sk 9 million) to publish bimonthly minority-language supplements in the progovernment daily newspaper Slovenska Republika. Of the total, less than \$120,000 (Sk 4 million) was reportedly used for this purpose.

The law provides for academic freedom, which is generally respected. However, critics of the 1996 amendment to the law on universities claim that it restricts the autonomy of the university by giving the Government increased control over the administration and funding of institutions of higher learning. In 1997 the Government established new universities in four cities where universities already existed, meanwhile cutting the budgets of the older universities. Critics believe that the Government is trying to close universities that it considers are not progovernment by diverting budgetary funds to the new universities. For example, the yearly budget for the existing university in Trnava is \$1.35 million (Sk 45 million) while the new "Christian" university in Trnava is to receive \$1.8 million (Sk 60 million). Faculty at Trnava believe that the government strategy is to attract teachers and students to the new university thereby weakening the existing one.

#### b. Freedom of Peaceful Assembly and Association

The Constitution provides for these rights, and the Government respects them in practice.

#### c. Freedom of Religion

The Constitution provides for freedom of religious belief and faith, and the Government respects this provision in practice. Under existing law, only registered churches and religious organizations have the explicit right to conduct public worship services and other activities, although no specific religious or practices are banned or discouraged by the authorities. The State provides financial subsidies only to registered churches and religious organizations, of which there are 15.

#### d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government respects them in practice.

The Government cooperates with the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. The Government provides first asylum and provided it to 645 persons in 1997. Of these and prior year cases, 8 were granted citizenship, 65 were accepted as refugees, 84 claims were rejected, 539 persons terminated their cases, and the remainder (69) are pending. There were no reports of forced expulsion of those having a valid claim to refugee status; however, some refugee claimants said that they had difficulty in gaining access to initial processing.

### **Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government**

Citizens have the constitutional right to change their government through the periodic free election of their national representatives. Citizens over the age of 18 are eligible to vote, and voting is by secret ballot. The Constitution reserves certain powers to the President as Chief of State (elected by the Parliament), but executive power rests with the Government. Legislative power is vested in the National Council of the Slovak Republic (Parliament).

The last national elections were held in October 1994, with the then-opposition party HZDS obtaining 35 percent of the vote and an invitation to form the Government. The elections were deemed free and fair.

A number of actions consolidated the Government's power in a manner, which, taken as a whole, gave rise to continued concern over the future course of pluralism, the separation of powers, and democratic development overall. In December 1996, in a virtual party line vote, deputies ousted M.P. Frantisek Gaulieder from Parliament against his will because he had earlier resigned his membership in the ruling HZDS party. A bomb exploded at his residence 2 days later (see Section 1.a.). In July the Constitutional Court ruled that Gaulieder's ouster was unconstitutional but left the formal remedy up to Parliament, saying that the Court could not change a parliamentary resolution. Court judges said that if Parliament does not return Gaulieder's mandate, it would remain in violation of the Constitution. In September, in direct contradiction of the July Constitutional Court ruling, the Parliament, again on a near party line vote, refused to reinstate Gaulieder.

In a May referendum, Interior Minister Gustav Krajci ordered removed from the ballot a question regarding the direct election of the President. The question had been proposed by an opposition-led citizen petition drive and combined by President Kovac with three other parliament-approved referendum questions on NATO membership to save money and increase the percentage of participation in the referendum. The Prime Minister was against the opposition-inspired question, calling it unconstitutional. Shortly before the referendum, the Cabinet referred the question to the Constitutional Court, which decided that the question was valid, but that the draft legislation attached to it could not automatically become law. Nevertheless, the Cabinet directed Krajci not to distribute the question and Krajci complied. In the confusion over the conduct of the referendum, which was boycotted, less than 10 percent of the electorate voted, and the central referendum commission declared the entire process void. In September Krajci was taken to court over his action, but the supervisor of the prosecutor who brought the charges decided to stop the prosecution and investigation for lack of evidence.

In the absence of a civil service law, the Government continued to pressure or replace national and local government officials with its supporters. The 1996 Territorial Administration Law that provided for the redistricting of regional and local governments created additional layers of government. These

controlled national educational and health purse strings and were accused of being used in a political fashion to fund infrastructure projects in cities with government coalition-affiliated mayors. Further legislation expected to clarify the relationship between appointed heads of the newly created regions and counties and elected mayors was not completed by year's end. Ethnic Hungarian and other opposition politicians accused the Government of gerrymandering and excessive patronage, since the Government continued to appoint coalition party members to positions associated with this law. In its handling of the privatization of large state enterprises, the National Property Fund, nominally independent of the Government, appeared to favor primarily supporters of the ruling coalition.

Women are underrepresented in Government. They hold 3 of 15 portfolios: labor/social affairs and education. One of three Deputy Prime Ministers is a woman. Women hold 21 seats in the 150-member Parliament.

The large ethnic Hungarian minority, whose coalition gained 17 seats in Parliament in the 1994 elections, is well represented in Parliament and in local government but not in the central government. Roma are not represented in Parliament and hold no senior government positions.

#### **Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

A number of human rights groups operate without government restriction, investigating and publishing their findings on human rights cases. A 1996 law requiring NGO's and foundations to reregister and, in the case of foundations, have certain financial resources in order to operate has eliminated some foundations, primarily dormant groups. No organization, however, had been denied registration nor faced any other major problem in continuing to operate. The impact of another law setting limits on allowable administrative expenses is not yet known. In May and July Parliament passed two laws governing the registration and operation of NGO's as an alternative to registering under the foundations law. These are the laws on noninvestment funds and nonprofit public benefit organizations. Neither alternative was widely used by NGO's to register by year's end.

#### **Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status**

The Constitution and the law prohibit discrimination and provides for the equality of all citizens. However, enforcement is uneven, with different minority groups reporting that their members often receive no government assistance with complaints about discrimination. Health care, education, retirement benefits, and other social services are provided regardless of race, sex, religion, disability, language, or social status.

##### **Women**

Violence, particularly sexual violence against women, remains a serious and underreported problem. Experts say that in 1993, the latest year studied, there were 47,000 reported acts of violence or intolerance against women (violence is defined as physical, sexual, emotional, or economic). Physical and sexual violence account for almost half of all reported cases. These experts conclude that most of the estimated 23,000 unreported cases involve sexual violence. They note that although police (in 1993) reported a 19 percent drop in officially reported cases of sexual violence, psychological counseling centers registered a 60 percent increase in such cases. Police estimate that two-thirds of female rape victims fail to report their cases. Police treat spousal abuse, child abuse, and other violence against women in the same way as other criminal offenses: Sections in the Criminal Code specifically address rape, sexual abuse, trade in women, and pandering.

As a result of amendments to the Criminal Code that took effect in 1994, prostitution is not illegal. The Code, however, prohibits activities related to prostitution, such as renting apartments for conducting prostitution, spreading contagious diseases, or trafficking in women for the purpose of prostitution.

Women are equal under the law. They have the same property, inheritance, and other legal rights as men. Women receive approximately 79 percent of men's wages for the same work, according to the Government. A 1995 report prepared by the Ministry of Foreign Affairs stated that for the period 1988-93, "gross earnings of men are 71 percent higher than those of women." The report concluded that "since there is little difference in the level of education achieved by men and women, and since a significantly greater number of women are graduates of technical universities as well as universities, the discrepancy in wages is caused by factors other than educational achievement."

The Democratic Union of Women of Slovakia (DUZS), chaired by a HZDS M.P. and funded in part by the HZDS, identified the number one problem facing women as insufficient resources to provide for everyday family needs. Other major problems included women's health and the health of their family members. The DUZS continued to promote creation of a parliamentary committee on women and the family and passage of a law on the family. The DUZS particularly was interested in legislation that provided more day care and preschool programs. The DUZS also complained about growing discrimination against middle-age and older women in employment.

After the 1995 U.N. Conference on Women in Beijing, the Government formed a Coordinating Committee for Women's Affairs. The Committee meets periodically to discuss the status of women's issues and any necessary followup from the Beijing conference. The Committee includes government officials as well as NGO participants. Some NGO representatives have chosen not to participate, characterizing the committee as ineffective.

## Children

The Government demonstrates its commitment to children's rights and welfare through its system of public education and medical care. The Ministry of Labor oversees implementation of the Government's programs for children. The Constitution, the law on education, the Labor Code, and the system of child welfare payments to families with children each provide in part for children's rights. Education is compulsory for 9 years, or until the age of 15.

While there is no evidence of a societal pattern of abuse of children, some problems remain. One NGO reported almost 400 cases of child beating and 500 cases of sexual abuse although the number of unreported cases could be much higher.

## People With Disabilities

The Constitution and implementing legislation provide for health protection and special working conditions for mentally and physically disabled persons, including special protection in employment relations and special assistance in training. A 1994 decree provides incentives to employers who create a "sheltered" workplace (i.e., a certain percentage of jobs set aside for the disabled). The law also prohibits discrimination against physically disabled individuals in employment, education, and the provision of other state services. Nevertheless, experts report discrimination in accessibility of premises and access to education (especially higher education). Although not specifically required by law, another 1994 government decree mandates the provision of accessibility with regard to new building construction. The decree provides for sanctions but lacks a mechanism to enforce them. A spokeswoman for an NGO dealing with people with disabilities said that the Government made some limited progress

on accessibility issues and in supplying prosthetics.

### Religious Minorities

A controversial book entitled "The History of Slovakia and the Slovaks" by Milan S. Durica was published in 1996 with Ministry of Education support using European Union funds. It was distributed as recommended reading for teachers and students in elementary and high schools. The book was widely criticized by religious groups and the Slovak Academy of Sciences for gross inaccuracies and distortions, particularly in its portrayal of wartime Slovakia and the deportation of Jews and Roma. The Slovak Jewish community and B'nai B'rith criticized the book as anti-Semitic, and the Evangelical Church protested that the text was highly prejudicial towards its members. The Prime Minister announced in July that the Government would withdraw the book, but it remains available in schools. The European Union planned to ask for a return of its funds.

Five Jewish cemeteries were vandalized during the year. In Nove Zamky three juveniles were arrested and charged with vandalism. In Kosice the mayor promised a full investigation as well as funds to help restore the overturned gravestones. Other incidents occurred in Lucenec (19 gravestones overturned) in May and in two eastern towns (Falkusovace and Vranov Nad Toplou) in September. In each case there were overturned gravestones, but in Nove Zamky a swastika was traced in the dirt, and in Vranov Nad Toplou a grave was opened.

Despite protests by the Federation of Jewish Communities, Slovak National Party members and the official Slovak cultural organization Matica Slovenska continued their efforts to revise the history of the pro-Nazi wartime Slovak state. The Prime Minister, however, has publicly distanced himself from the glorification of the Tiso regime and has condemned fascism and anti-Semitism, stating that there was no link between the Slovak wartime state and the new Slovak republic.

In 1996 a center for Jewish studies at the Comenius University in Bratislava was opened. Initially it proposes to offer a general cultural introduction to Judaica and, later, studies in Hebrew and Yiddish languages.

### National/Racial/Ethnic Minorities

The Constitution provides for the right of minorities to develop their own culture, receive information and education in their mother tongue, and participate in decisionmaking in matters affecting them. The Deputy Prime Minister heads the Council for National Minorities, an advisory body to the Government on minority issues which also considers legislation concerning minorities. The Government continued to provide funding for cultural, educational, broadcasting, and publishing activities for the major ethnic minorities, but at greatly reduced levels. A 1996 bilateral treaty with Hungary, which called for bilateral commissions to deal with the treatment of ethnic minorities, remains unfulfilled.

The largest ethnic minority is Hungarian. It is concentrated primarily in southern Slovakia, with a population registered at 570,000 (150,000 of whom are thought to be Roma who speak Hungarian and choose to declare themselves as ethnic Hungarian). Most ethnic Hungarians and ethnic Slovaks living in mixed areas continued to coexist peacefully, but there were occasional outbreaks of anti-Hungarian feeling, mostly in areas where the two do not coexist.

Hungarian ethnic leaders complained about large and disproportional cuts in government subsidies to Hungarian cultural organizations, with funding for some organizations eliminated. They noted as well a number of government initiatives, which they said sought to reverse gains made in previous years. The

Government took no action in 1997 on the proposed education law that would expand the use of Slovak in schools of the Hungarian minority and in particular require that history and literature be taught in Slovak. In 1996 then-Foreign Minister Juraj Schenk assured the High Commissioner for Minorities of the Organization for Security and Cooperation in Europe (OSCE) that the Government would pass a law codifying the use of minority languages. In October the Government, against the advice of the OSCE High Commissioner, stated that it no longer saw a need for such a law despite its previous promises. No law was proposed in Parliament.

During a party rally in September, Prime Minister Meciar explained to the crowd that during talks with Hungarian prime Minister Horn in August he had proposed that both countries facilitate changing citizenship for those ethnic Hungarians living in Slovakia and ethnic Slovaks living in Hungary who so desired. Meciar explained further that the proposal was meant to support the free movement of people. Opposition politicians and some press sources described the proposal as encouraging population exchanges.

In June schools that teach in the Hungarian language were not allowed to issue report cards in Hungarian. This ruling reportedly affected 390 schools. Previously, the report cards were issued in both Slovak and Hungarian. The action resulted from the Ministry of Education's interpretation of the law on the use of the official language in Slovakia. Some principals and teachers persisted in distributing bilingual report cards. In one prominent case, the principal of a Hungarian-language elementary school in Bratislava was removed from his job but kept on as a teacher. The action occurred after the principal refused to stop issuing bilingual report cards; however, the authorities told him that his demotion was due to ineffective performance. Another principal was demoted under the same circumstances in Senec. In the heavily Hungarian towns of Komarno and Dunajska Streda, it was reported that teachers who issued bilingual certificates were denied a routine bonus (osobny priplatok) given to teachers, which amounted to 30 percent of their pay. Two students in Dunajska Streda were reportedly dismissed for having Hungarian-language report cards. In March education state secretary Ondrej Nemcok wrote to county offices in charge of schools recommending that only ethnic Slovaks be allowed to teach history and geography in Hungarian language schools and that the subjects be taught in Slovak, along with the Slovak language and literature and all specialized skilled worker training. A draft law presented by the Education Minister to codify the above recommendation was returned by the Cabinet for redrafting.

Ethnic Hungarians, Ruthenians, and Roma protested the lack of autonomy and government support for their cultural activities, particularly the Hungarian, Ruthenian, and Roma theaters whose autonomy was ended by a 1996 decree by Culture Minister Ivan Hudec. An annual national celebration of ethnic Hungarian heritage was canceled at the last minute due to lack of funds. Csevadok, the largest ethnic Hungarian cultural organization, received no government funding for the second year in a row. Government involvement in, and control of, cultural activities occurs throughout the country, however, and is not restricted to minority areas.

Roma constitute the second largest ethnic minority and suffer disproportionately from high levels of poverty and unemployment. Credible reports by human rights monitors indicated that Roma continued to suffer from discrimination in employment, housing, and administration of state services. Skinhead violence against Roma was a serious and growing problem, and monitors reported that police remain reluctant to take action. In January six skinheads attacked two Roma in Bratislava; one was hospitalized. The skinheads were arrested and remained under investigation at year's end. Also in January, skinheads in Kosice attacked a Romani employee of the NGO Office for the Legal Protection of Minorities (KPOEM). The two skinheads were arrested and fined.

In February a group of anarchists and Roma in the city of Prievidza scheduled a rally to protest racism and fascism. Skinheads arrived at the rally and shouted "Heil" and "Gypsies to the gas chambers!"

Police intervened when fighting broke out, but reportedly arrested only anarchists and Roma (who were released the next day). A Romani representative wrote a letter to the Minister of Interior protesting the brutality of the police intervention, which injured several participants. In June four Roma youth were shot in a car near Levoca. One woman was killed while another remained in a critical state. The two others in the car were injured. No one was arrested.

In August two skinheads broke into a Romani home in Banska Bystrica and beat the whole family with baseball bats. The mother suffered a concussion and a broken arm while her daughter also had a broken arm. The father was left in a coma and later died of his injuries. One suspect is in prison awaiting trial.

In October 3 Romani students on their way home from school were attacked by a group of 10 skinheads. One of the Roma suffered a broken nose among other injuries. The police arrested one skinhead on probation with a prior record of violence. The case had not gone to court at year's end.

In August the perpetrator of a December 1996 knife attack on a father and son of Romani heritage, which resulted in the father's death, was sentenced to 11 1/2 years in jail for murder.

Remarks by public figures played to anti-Roma sentiment. In June 1996, Roman Hofbauer, a Member of Parliament of the ruling HZDS party and a prominent member of the government coalition, wrote in the movement's daily newspaper, *Republika*, that Romani citizens were the cause of criminality. In October 1996, Jan Slota, leader of the SNS, reportedly said that a "small yard and a large whip are needed against the Roma." In a radio interview in the same month, Slota claimed that "70 percent of the Roma are the cause of Slovak criminality."

Persons of color also suffered from attacks or discrimination. In July skinheads from Banska Bystrica assaulted an African-American serviceman. He was taken to the hospital and treated for minor injuries. In January two Asian asylum seekers were attacked by skinheads near the bus station in Mlynske Nivy. In December a Nigerian intern at a human rights NGO was verbally and physically assaulted after appearing on a UNHCR television program about racism.

In another case in August, 20 skinheads attacked a group of students with dark complexions on a bus. When the youths tried to get off the bus, the skinheads followed them. Police intervened, but one student was hospitalized with a serious concussion. Four suspects were taken into custody but later released for lack of evidence.

During the most recent census (1991), 14,000 citizens registered themselves as Ukrainians, and 17,000 registered themselves as Ruthenians. About 50,00 persons, however, listed Ruthenian as their native language. Ruthenians disagree that they are Ukrainians and that their language is only a Ukrainian dialect. The Government recognizes some Ruthenian claims, but the chairman of the Association of Ruthenian Professionals states that the Government is subject to Ukrainian pressure, which views such recognition as anti-Ukrainian. In a March letter the Government promised radio time for Ruthenian-language programs, but by year's end had reportedly not provided such broadcasts.

## **Section 6 Worker Rights**

### **a. The Right of Association**

The Constitution provides for the right to form and join unions, except in the armed forces. According to one reliable, independent estimate, approximately 50 percent of the work force is organized. Official sources stated that the figure is closer to 65 to 70 percent. Most unions are independent of the

Government and political parties but lobby those entities in order to gain support for union positions on key labor issues. There are no restrictions on the right to strike. Slovakia was largely free of strikes from the 1989 revolution until 1996. Seven strikes were officially recorded in 1997. In February and March the actors guild struck against political interference and the loss of artistic freedom. The strike lasted for a month. The actors returned to work at the request of President Kovac. The largest strike was in June when Bratislava's mass transit company drivers seeking wage increases struck for 4 days, crippling city transportation services. The drivers temporarily returned to work when requested by a court, which was to decide on the legality of the strike. At year's end, the court had made no decision.

A 6-month strike by employees protesting the way in which their company was privatized was temporarily resolved when the Prime Minister said the National Property Fund would review the decision. All work actions were carried out peacefully with no government interference although many suggest that the Bratislava bus drivers' strike was politically motivated to embarrass the opposition mayor.

There were no reported instances of retribution against strikers or labor leaders, but the law and regulations do not explicitly prohibit such retribution. There were no reports of human rights abuses targeted against unions or workers. It was reported, nevertheless, that some public service employees were pressured to join government coalition parties. The implication was that refusal to join would put a worker's job in jeopardy. Some workers at a major company were reportedly pressured to join an allegedly more progovernment union. Again, the implication was that failure to join could put workers' jobs in jeopardy.

Unions are free to form or join federations or confederations and to affiliate with and participate in international bodies.

#### b. The Right to Organize and Bargain Collectively

The law provides for collective bargaining. However, in 1997 employers and unions were excluded from the negotiations on a government proposal to enact wage regulation. Employers and unions normally set wages in free negotiations and are guided by a general agreement with the Government. In 1997 no general agreement was signed and both unions and businesses protested the government-proposed wage regulation. The Law on Citizens' Associations prohibits discrimination by employers against union members and organizers. Complaints may be resolved either in collective negotiations or in court. If found guilty of antiunion discrimination, employers are required to reinstate workers fired for union activities.

The Customs Act of 1996 regulates free customs zones and customs warehouses. Firms operating in such zones must comply with the Labor Code; to date there have been no reports of special involvement by the trade unions. No special legislation governs labor relations in free trade zones.

#### c. Prohibition of Forced or Compulsory Labor

Both the Constitution and the Employment Act prohibit forced or compulsory labor, including that performed by children. There were no reports of violations. The Ministry of Labor, Social Affairs, and Family, as well as district and local labor offices, have responsibility for enforcement.

#### d. Status of Child Labor Practices and Minimum Age for Employment

The law sets the minimum employment age at 15 years. Children must remain in school for 9 years, or

until the age of 15. Workers under the age of 16 may not work more than 33 hours per week; may not be compensated on a piecework basis; may not work overtime or night shifts; and may not work underground or in specified conditions deemed dangerous to their health or safety. Special conditions and protections, though somewhat less stringent, apply to young workers up to the age of 18. The Ministry of Labor enforces this legislation. There were no reports of violations. Forced and bonded child labor is prohibited by law and the Constitution, and the Government effectively enforces these prohibitions (see Section 6.c.).

#### e. Acceptable Conditions of Work

The minimum wage was increased to approximately \$88 (Sk 3,000) per month in September, with an effective date of January 1, 1998. Even when combined with special allowances paid to families with children it does not provide a decent standard of living for a worker and family. The Ministry of Labor is responsible for enforcing the minimum wage. No violations were reported. The standard workweek mandated by the Labor Code is 42.5 hours, although collective bargaining agreements have achieved reductions in some cases (most often to 40 hours). For state enterprises the law requires overtime pay up to a maximum of 8 hours per week, and 150 hours per year, and provides 5 weeks of annual leave. Private enterprises can compensate their employees for more hours of overtime than stipulated by the law. There is no specifically mandated 24-hour rest period during the workweek. The trade unions, the Ministry of Labor, and local employment offices monitor observance of these laws, and the authorities effectively enforce them.

The Labor Code establishes health and safety standards that the Office of Labor Safety effectively enforces. For hazardous employment, workers undergo medical screening under the supervision of a physician. They have the right to refuse to work in situations that endanger their health and safety and may file complaints against employers in such situations. Employees working under conditions endangering their health and safety for a certain period of time are entitled to paid "relaxation" leave in addition to their standard annual leave.

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